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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DERRICK PHIPPS,

Plaintiff,

-against-

EXPERIAN INFORMATION SOLUTIONS, LLC,

Defendant.

No. 20 Civ. 3368 (NSR)
ORDER

NELSON S. ROMÁN, United States District Judge:

Presently pending before the Court are a number of deposition requests, and one opposition to Defendant Experian Information Solutions, LLC's (Defendant) motion for sanctions (ECF No. 83), which were filed as "motions" by *pro se* Plaintiff Derrick Phipps ("Plaintiff") at ECF Nos. 93, 94, 95, 96, 97 and 100.

This matter was referred to Magistrate Judge Paul E. Davison for Discovery on April 2, 2021, and Discovery was completed on July 28, 2021. Then, on January 29, 2022, Defendants filed a motion for summary judgment, a motion to compel Plaintiff to appear for his deposition, and a motion for sanctions for Plaintiff's failure to appear for his deposition (ECF No. 83).

On November 29 and 30, 2022, Plaintiff subsequently sought additional discovery, filing "motions" to depose Ann Sterling regarding settlement agreements that occurred between the parties in 2021 (ECF Nos. 93 and 97) and Lisa Wallace regarding her declaration dated October 4, 2021 (ECF Nos. 94 and 96). Additionally, on November 30, 2022, Plaintiff filed an opposition to Defendant's motion for sanctions, which he style as a "motion" (ECF Nos. 95 and 100).

On July 20, 2023, the Court held an in-person conference to discuss the foregoing motions. Plaintiff failed to appear at this conference despite being served with the relevant scheduling order by Defendant (ECF No. 108).

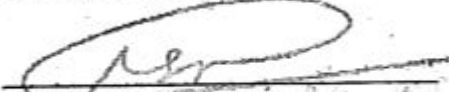
Having reviewed Plaintiff's "motions," the Court denies them for the following reasons:

(1) Plaintiff's motions to depose Ann Sterling and Lisa Wallace are denied because Plaintiff failed to follow the appropriate remedy of requesting that the Magistrate Judge reopen Discovery and his papers fail to show good cause for the Court to order these depositions; and (2) Plaintiff's motion for dismissal of sanctions is denied because sanctions have not been ordered and this motion is more accurately described as an "opposition" to Defendant's motion for sanctions.

The Clerk of Court is thereby respectfully directed to terminate the motions at ECF Nos. 93, 94, 95, 96, 97 and 100., as well as to mail a copy of this order to *pro se* Plaintiff at his address listed on ECF and to show service on the docket. For the avoidance of doubt, Defendant's motion at ECF No. 83 should NOT be terminated and remains active.

Dated: July 20, 2023
White Plains, NY

SO ORDERED:



HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE